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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/238,375 01/27/99 GROOTERS

B 98-0674

EXAMINER

LM01/0329

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ART UNIT	PAPER NUMBER

2773

DATE MAILED:

03/29/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/238,375

Applicant(s)

Grooters

Examiner

Sy D. Luu

Group Art Unit

2773

☒ Responsive to communication(s) filed on Jan 27, 1999

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. Claims 16-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 16 is directed to a computer program per se. Thus, reciting that a program is “storable” on a medium does not incorporate the medium into the claim invention. The examiner suggests that the word “storable” in the phrase “program of instructions storable on a computer readable medium” to be changed to “stored” in order to overcome the rejection.

Claim Rejections - 35 USC ' 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11, 13-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douma et al. (“Douma”, U.S. # 5,990,884).

As per claim 1, Douma teaches a system for generating a device user interface executable by an information handling system, comprising: a processor (fig. 5, elements 10 and 52/52'; col. 6, lines 51-57) for executing instructions on the information handling system and a memory coupled to said processor for storing instructions for execution by said processor; a device database including listing available user interface components (col. 4, lines 59-65); a resource database including the user

interface components (col. 6, lines 57-61); a user interface generator for determining whether the device is included in said device database and for retrieving the user interface components for that device from said resource database, and a layout manager for assembling the user interface components retrieved by said user interface generator into a user interface executable by the information handling system to control the device (col. 7, lines 13-30).

Although Douma discloses the resource database to be separate databases stored individually in each device rather than a single database containing resources of all device, however, it would have been obvious to an artisan at the time of the invention to use any one of the two options depending on the implementation method. The end results would be equivalent in providing the necessary device information to the processor in generating the proper interface specific to the requested device.

As per claim 2, Douma discloses the device to be a multimedia device controlled by the information handling system (fig. 5, elements 16 and 18).

As per claims 3 and 4, by disclosing a automatic "two-way" communication method between multimedia devices and the controlling system, Douma indicates/suggests that the device and resource databases are created without requiring user intervention (col. 6, lines 45-61).

As per claim 5, Douma teaches the user interface components of said resource database comprise discrete objects (fig. 5, elements 136, 138, 140, 142).

Claims 6-10 are similar in scope to claims 1-5, and therefore are rejected under similar rationale.

Claims 11 and 13-14 combined are similar in scope to claim 1, and therefore are rejected

under similar rationale.

Claims 15 is similar in scope to claim 5, and therefore is rejected under similar rationale.

Claims 16 and 18-20 are similar in scope to claims 11 and 13-15 respectively, and are therefore rejected under similar rationale.

4. Claims 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douma et al. ("Douma", U.S. # 5,990,884) in view of Naughton et al. ("Naughton", U.S. # 6,020,881).

Douma teaches all claim limitations as applied to claim 11, but fails to teach the step of selecting generic device user interface components in the event the device is not listed in the database. Naughton teaches a method for controlling devices using an intuitive GUI, wherein a generic user interface program object is used when a device is not available in the database (col. 30, lines 10-32). Therefore, it would have been obvious for an artisan at the time of the invention to combine Naughton's teaching with Douma's system in order to provide users a closest alternative device user interface components when the specific device is not available in the database.

Claim 17 is similar in scope to claim 12, and therefore is rejected under similar rationale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Goulden et al. (U.S. # 5,956,025) teaches a remote control device with 3D organized GUI for a home entertainment system.

Launey et al. (U.S. # 5,086,385) teaches an expandable home automation system.

Responses

4. Responses to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231.**

If applicant desires to fax a response, (703) **308-9051(52)** may be used for formal communications or (703) **308-6606** for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquires


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Sy D. Luu** whose telephone number is (703) **305-0409**. The examiner can normally be reached on **Monday - Thursday from 6:30 am to 4:00 pm**. The examiner can also be reached on alternate **Friday**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matt Kim**, can be reached on (703) **305-3821**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) **305-3800**.


Sy D. Luu
Patent Examiner
March 24, 2000

sdl


**RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2773**